

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ENERGY TRANSPORTATION GROUP, INC.,

Plaintiff,

-against-

BOREALIS MARITIME LIMITED,

Defendant.

ANALISA TORRES, District Judge:

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ORDER

By order dated July 8, 2025 (the “Summary Judgment Order”), the Court resolved the parties’ cross-motions for summary judgment and granted and denied certain sealing requests made in connection with the parties’ summary judgment motions. *See generally* Summary Judgment Order, ECF No. 258. As to the sealing requests that were denied, the Court gave Defendant, Borealis Maritime Limited (“Borealis”), until August 1, 2025, to file a renewed sealing request consistent with the Court’s order. *Id.* at 33. The Court explained that certain material redacted in its order would be unsealed unless Borealis moved for continued sealing of that material in its renewed sealing request. *See id.* at 33 n.9.

By letter dated August 1, 2025, Borealis renewed its sealing request. ECF No. 259. Plaintiff, Energy Transportation Group, Inc. (“ETG”), responded on August 6 in a partially redacted letter. ECF No. 267. The parties agree that if Borealis’ sealing request is granted, ETG’s unredacted response should be permitted to remain under seal for the same reasons. *See* ECF No. 265.

Borealis’ renewed sealing request is substantially narrower than the requests considered by the Court in the Summary Judgment Order. It is also consistent with the guidance provided by the Court in that Order. Although the request encompasses materials that are undoubtedly “judicial documents,” Summary Judgment Order at 26, the weight of the presumption of public access that applies to these materials is moderate because, even though the materials were cited and discussed in ETG’s summary judgment briefing, they were ultimately not relied upon by the Court in its decision, *see Olson v. Major League Baseball*, 29 F.4th 59, 89 (2d Cir. 2022). The Court agrees with Borealis that the materials implicate important and sensitive third-party business interests, and having reviewed the proposed redactions, the Court finds that they are narrowly tailored to protect those interests. *See* ECF No. 259; *United States v. Amodeo*, 71 F.3d 1044, 1050–51 (2d Cir. 1995).

Accordingly, Borealis' renewed sealing request, ECF No. 259, is GRANTED, and the parties' joint request to maintain ETG's response partially under seal, ECF No. 265, is GRANTED for the same reasons. Because Borealis' renewed sealing request does not encompass the material the Court redacted in the initial filing of the Summary Judgment Order, the Court shall refile the Order on the public docket without redactions. *See* Summary Judgment Order at 33 n.9.

The Clerk of Court is respectfully directed to terminate the motions at ECF Nos. 259 and 265.

SO ORDERED.

Dated: August 7, 2025
New York, New York



ANALISA TORRES
United States District Judge